

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – COOPERATION DEPARTMENT – Allegation of corruption against Sri Panangipalli Uma Shankar, formerly Assistant Registrar - Cum – Sub-Divisional Cooperative Officer, Ramachandrapuram, East Godavari District – Trapped on 27.08.2009 – Sanction for Prosecution – Accorded – Orders - Issued.

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AGRICULTURE & COOPERATION (VIG.III) DEPARTMENT

G.O.Ms.No : 201

Dated: 22.07.2010

ORDER:

Whereas, Sri Panangipalli Uma Shankar, S/o Venkata Ratnam worked as Assistant Registrar – Cum –Sub Divisional Cooperative Officer, Ramachandrapuram, East Godavari District from 01.06.2007 to 27.08.2009 and as such he is a Public Servant as defined under section 2 (c) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, Sri Balusu Surya Prakasa Rao who worked as the Secretary, Chelluru Cooperative Rural Bank from 31.5.1972 got retired on 31.07.2007 with unblemished record. During his tenure an enquiry under section 51 was ordered by the District Cooperative Officer based on the report of the audit officer on the allegation of incurring loss due to extravagant purchase of fertilizers, pesticides and seeds. In this regard Sri Panangipalli Uma Shankar, who was appointed as an enquiry officer concluded his enquiry finding that there was no misappropriation but issued notice vide CEP No. 45/09 dated 18.06.2009 intimating that the land measuring Ac.3.54 cts belonging to the wife of Sri Balusu Surya Prakasa Rao would be auctioned. In response to the same, the wife of Sri Balusu Surya Prakasa Rao got a representation through her advocate with a request to cancel the auction since the land proposed to be auctioned was her ancestral property. Consequently the Deputy Registrar of Cooperative Societies, Rajahmundry issued proceedings dated 23.06.2009 directing the enquiry officer i.e. Sri Panangipalli Uma Shankar not to proceed further till further orders. In spite of the same, on 24.06.2009 Sri Panangipalli Uma Shankar issued notice vide CEP No.46/2008-09 attaching the above land of the wife of Sri Balusu Surya Prakasa Rao. Again on 07.07.2009, the Deputy Registrar of Cooperative Societies ordered cancelling the attachment orders issued by Sri Panangipalli Uma Shankar. On 05.08.2009 when Sri Balusu Surya Prakasa Rao and his wife submitted their representation to Sri Panangipalli Uma Shankar with a request to cancel the attachment orders, he demanded a bribe of Rs. 5,000/- for doing the same and in spite of pleading by Sri Balusu Surya Prakasa Rao that he was retired, unable to pay such huge amount and moreover there was no fault on his part, Sri Panangipalli Uma Shankar exhibited a deaf ear to him. Again on 11.08.2009, when Sri Balusu Surya Prakasa Rao met Sri Panangipalli Uma Shankar, he reiterated his demand and also informed that he would be in camp and asked Sri Balusu Surya Prakasa Rao to arrange the money and contact him over phone to know about the venue for payment of bribe. Later on 25.08.2009, at about 6.00 pm when Sri Balusu Surya Prakasa Rao met Sri Panangipalli Uma Shankar at the office of the Divisional Co-operative Office, he asked Sri Balusu Surya Prakasa Rao, while going out, to meet him at Spencer's shop, Rajahmundry. Accordingly Sri Balusu Surya Prakasa Rao met Sri Panangipalli Uma Shankar who again enquired whether the bribe amount was brought or not. When Sri Balusu Surya Prakasa Rao replied that he could not arrange bribe, Sri Panangipalli Uma Shankar asked him to meet him on 27.08.2009 along with the bribe amount. Having no other option and in spite of his unwillingness to pay the bribe amount Sri Balusu Surya Prakasa Rao accepted the proposal of Sri Panangipalli Uma Shankar and reported the same to the Deputy Superintendent of Police, Anti-Corruption Bureau, Rajahmundry Range on 26.08.2009, who registered a case in Cr. No.08/RCT-RJY/2009 under section 7 of Prevention of Corruption Act, 1988 on 27.08.2009 after observing the procedural formalities and made arrangements for laying trap;

3. And whereas, while conducting the pre-trap proceedings the Deputy Superintendent of Police, Anti-Corruption Bureau asked Sri Balusu Surya Prakasa Rao to talk over his cell phone no. 9346649815 to the cell phone bearing no. 9912233707 belonging to Sri Panangipalli Uma Shankar, keeping the speaker on so as to overhear the conversation between Sri Balusu Surya Prakasa Rao and Sri Panangipalli Uma Shankar. Having over heard the conversation and having confirmed the demand of bribe by Sri Panangipalli Uma

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Shankar, the trap party left to Morumpudi Junction, Sri Panangipalli Uma Shankar was trapped on 27.08.2009 at about 2.00 pm. When the complainant was waiting at Morumpudi Junction, the Accused Officer came to him on his motor cycle and asked him whether he brought the demanded bribe amount of Rs. 5,000/-. The complainant gave positive reply. Then the Accused Officer demanded the complainant to give the bribe amount. Then the complainant gave the tainted amount to Accused Officer, who received it with his left hand and kept it in his pant left side pocket. The Sodium Carbonate solution test conducted on the fingers of left hand of Sri Panangipalli Uma Shankar alone yielded positive result. In pursuance of the statement of Sri Panangipalli Uma Shankar the tainted amount of Rs. 5,000/- was found and recovered from his left side pant pocket and when compared, the serial numbers of the currency notes were found to tally with that of the numbers of the currency notes those were handed over by Sri Balusu Surya Prakasa Rao during pre trap proceedings. The Sodium Carbonate solution test conducted on the inner lining of left side pant pocket of Sri Panangipalli Uma Shankar, from which tainted amount was recovered also yielded positive result. The Deputy Superintendent of Police seized the resultant solutions, the tainted amount, Pant of Sri Panangipalli Uma Shankar and the remaining Sodium Carbonate powder etc;

4. And whereas, the above said acts of Sri Panangipalli Uma Shankar, formerly Assistant Registrar -Cum – Sub Divisional Cooperative Officer, Ramachandrapuram, East Godavari district constitute offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of Prevention of Corruption Act, 1988;

5. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Panangipalli Uma Shankar, formerly Assistant Registrar - Cum - Sub-Divisional Cooperative Officer, Ramachandrapuram, East Godavari district from Government service after fully and carefully examining the material placed before them in respect of the said allegations and having regard to the facts and circumstances of the case consider that Sri Panangipalli Uma Shankar, formerly Assistant Registrar - Cum - Sub-Divisional Cooperative Officer, Ramachandrapuram, East Godavari district should be prosecuted in a Court of Law.

6. Now therefore, in exercise of the powers conferred by Clause (b) of sub section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for Prosecution of Sri Panangipalli Uma Shankar, formerly Assistant Registrar - Cum - Sub-Divisional Cooperative Officer, Ramachandrapuram, East Godavari district for the above said offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(K. R. KISHORE)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General
Anti-Corruption Bureau
A.P., Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER